

Notice of Allowability

Application No.

09/989,632

Examiner

Kimberly D. Nguyen

Applicant(s)

BLANFORD ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8 October 2003.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 20 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

Amendment

1. Acknowledgement is made of Amendment filed 8 October 2003.

Allowable Subject Matter

2. Claims 1-20 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The record of prior art fails to teach or fairly suggest a scanner for detecting and decoding primary and supplemental barcode labels comprising a controller for analyzing the data produced by the video receiver assembly to detect a primary barcode label, the controller being operative upon detection of the primary barcode label to search a database for the barcode represented by the primary barcode label and retrieve a value associated with the barcode, the controller being operative to conduct a search for a supplemental barcode label based on the retrieved value associated with the retrieved value associated with the retrieved barcode, wherein the retrieved value determines the time to be spent searching for the supplemental barcode label.

Kaslow teaches a scanner for detecting and decoding primary and supplemental barcode labels, comprising a controller for analyzing the data to detect a plurality primary barcode labels, the controller being operative upon detection of a primary barcode label to search a database for the barcode represented by the primary barcode label and retrieve a value associated with the barcode, upon determination that the match exists from the search, the controller being operative to conduct a search for a supplemental barcode label from the merchandise coupon based on the value associated with the retrieved value by scanning means.

Gupta teaches a scanner for detecting and decoding primary and supplemental bar code labels, comprising a laser/light source for generating light; a video-receiver-assembly/light-receiving-element for detecting light patterns produced by a reflection of the light generated by the laser from one or more bar code labels passing within a field of view of the video receiver assembly and producing data based on the light patterns.

However, Kaslow and Gupta, alone or in combination thereof, fails to teach or fairly suggest a controller for analyzing the data produced by the video receiver assembly to detect a primary barcode label, the controller being operative upon detection of the primary barcode label to search a database for the barcode represented by the primary barcode label and retrieve a value associated with the barcode, the controller being operative to conduct a search for a supplemental barcode label based on the retrieved value associated with the retrieved value associated with the retrieved barcode, wherein the retrieved value determines the time to be spent searching for the supplemental barcode label.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.

KDN
20 October 2003


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800